

ASSIGNED

AMENDED

Serial No. **43781**

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office **MAY 22 1981**

Returned to applicant for correction **SEP 8 1981**

Corrected application filed **OCT 22 1981** Map filed **OCT 22 1981**

The applicant **John W. Drayton, Jr., Trustee c/o John Drayton, Sr.**

Star Route 3, Box 340 of **Minden**

Street and No. or P.O. Box No.

City or Town

Nevada 89423 hereby make ^S application for permission to change the

State and Zip Code No.

Point of Diversion and Place of Use

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under **Permit #35631**

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.)

1. The source of water is **Underground**

Name of stream, lake, underground spring or other source.

2. The amount of water to be changed **4.9 c.f.s.**

Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for **Quasi-Municipal Purposes**

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for **Quasi-Municipal Purposes**

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point **NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 17, T.12 N., R.20 E.,**

Describe as being within a 40-acre subdivision of public survey and by course and

M.D.B. & M., or at a point from which the NE corner of said Section 17

distance to a section corner. If on unsurveyed land, it should be stated.

bears North 74°25'49" East, a distance of 1,123 feet

6. The existing permitted point of diversion is located within **SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 17, T.12 N., R.20 E.,**

If point of diversion is not changed, do not answer.

M.D.B. & M., or at a point from which the NE corner of said Section 17 bears

North 18°05' East, a distance of 2,577 feet

7. Proposed place of use **Portions of NE $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 17; and portions of**

Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 16; T.12 N., R.20 E., M.D.B. & M., as shown on the supporting

map.

8. Existing place of use **Portions of NE $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17; and portions of**

Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or

NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 16; and portions of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 8; and portions of

manner of use of irrigation permit, describe acreage to be removed from irrigation.

SW $\frac{1}{4}$ Section 9; all in T.12 N., R.20 E., M.D.B. & M., as shown on the supporting map.

9. Use will be from **January 1** to **December 31** of each year.

Month and Day

Month and Day

10. Use was permitted from **January 1** to **December 31** of each year.

Month and Day

Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and

specifications of your diversion or storage works.) **well, pump, motor and distribution**

State manner in which water is to be diverted, i.e. diversion structure, ditches,

system

pipes and flumes, or drilled well, etc.

12. Estimated cost of works **\$20,000.00**

13. Estimated time required to construct works **2 years**

14. Estimated time required to complete the application of water to beneficial use 10 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This Application is intended to change the Place of Use to reflect
the property ownership of Mr. Drayton. A Recission of Joint Venture
Agreement has been separately filed.

By s/Bruce Scott
Bruce R. Scott, Resource Concepts, Inc.
340 North Minnesota Street
Carson City, Nevada 89701

Compared js/ bc ja/bt

Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 35631 is issued subject to the terms and conditions imposed in said Permit 35631 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

At least one ground water monitor well is to be installed within the place of use at a location satisfactory to the State Engineer before any diversion of ground water from the production well. The monitor well must be suitably cased, perforated, sealed and capped and must penetrate at least 50 feet below the water table.

The issuance of this permit totally abrogates Permit 35631.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 4.9 cubic feet per second, but not to exceed 51.1 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before December 4, 1983

Proof of completion of work shall be filed before January 4, 1984

Application of water to beneficial use shall be made on or before December 4, 1984

Proof of the application of water to beneficial use shall be filed on or before January 4, 1985

Map in support of proof of beneficial use shall be filed on or before January 4, 1985

Completion of work filed IN TESTIMONY WHEREOF, I, PETER G. MORROS
State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed my office, this 15th day of NOVEMBER

Cultural map filed

Certificate No. Issued

A.D. 19 82

Peter G. Morros
State Engineer